

## “PUTTING ‘DISORIENTING MOMENTS’ AT THE CENTRE OF LEGAL EDUCATION”

Lawrence Donnelly<sup>1</sup>

### I. *Introduction*

In recent years, law schools throughout Ireland have begun to embrace clinical legal education. Irish law schools have been late to adopt what is regarded by many as “one of the most significant and successful pedagogical developments since Langdell’s case method at the beginning of the twentieth century.”<sup>2</sup> Yet clinical legal education programmes have continued to grow and expand apace over the past decade in Ireland.<sup>3</sup> While still well behind their counterparts in places like the United States, United Kingdom and Australia, Irish clinical programmes have achieved significant successes in a short period of time.<sup>4</sup>

Interestingly, the mainstreaming of clinical legal education in Ireland, once regarded as exotic and described in Part II, has coincided with the emergence of a rapidly proliferating body of what might be termed “crisis literature” on the state of legal

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<sup>1</sup> B.A., J.D. Attorney at Law (Massachusetts). Lecturer & Director of Clinical Legal Education, School of Law, National University of Ireland, Galway. The author would welcome feedback on this article or more general thoughts on the topics discussed in it and can be contacted at [larry.donnelly@nuigalway.ie](mailto:larry.donnelly@nuigalway.ie).

<sup>2</sup> Richard Wilson, “Training for Justice: The Global Reach of Clinical Legal Education” 22 Penn State International Law Review 421, 421 (2004).

<sup>3</sup> Lawrence Donnelly, “Developing Irish Clinical Legal Education” in (Thomas Mohr and Jennifer Schweppe eds) *30 Years of Legal Scholarship: The Irish Association of Law Teachers* (Thomson Round Hall, Dublin 2011) 359, 360.

<sup>4</sup> Lawrence Donnelly, “Clinical Legal Education in Ireland: Some Transatlantic Musings” 4 Phoenix Law Review 7, 15-19 (2010).

education in recent years.<sup>5</sup> While much of this literature has emanated from the US, which has some of its own distinct problems to try and solve in the imminent future, legal educators around the world must confront complex challenges. A substantial portion of these challenges have been precipitated by the onward march of globalisation and technology.<sup>6</sup>

Without delving into these quandaries – doing so could easily engender a rather lengthy tome (or tomes) – but mindful of the current, perhaps unprecedented, context, this article asks and endeavours to answer the following questions: What should we as legal academics seek to place at the heart of the educational experience for our students? And how can we do it?

The article argues that the disorienting moment should be a central component of the optimal twenty-first century legal education and that clinical legal education programmes are the ideal conduits for bringing about disorienting moments for students. The article shares the reflections of students in the clinical programme in the School of Law at the National University of Ireland, Galway. These reflections, it is submitted, establish that clinics are likely the best means of provoking the deeper questioning that flows from disorienting moments. Furthermore, the students' reflections, on their own, make a powerful case for why law schools should prioritise and resource clinical programmes. Beforehand though, and in the interest of laying

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<sup>5</sup> See, for example, Brian Tamanaha, *Failing Law Schools* (University of Chicago Press, 2012); Paul Campos, "The Crisis of the American Law School" 46 *University of Michigan Journal of Law Reform* 177 (2012).

<sup>6</sup> See generally Mary Daly, "The Structure of Legal Education and the Legal Profession: Multidisciplinary Practice, Competition and Globalization" 52 *Journal of Legal Education* 480 (2002).

the foundation for these arguments, it is important to examine the progress of clinical legal education in Ireland and to pose some inherently complex questions.

## II. *Clinical Legal Education: Defining the Goals*

While specifically denominated clinical legal education programmes have only sprung up in Ireland in the past fifteen years, a handful of Irish legal academics, such as Dr. (and later Justice of the High Court) Bryan McMahon and Professor Gerard Quinn, who had studied law in the United States, sought to incorporate more practical elements into third level legal education in the preceding decades.<sup>7</sup>

There has been for some time an element of opposition to and/or scepticism about the merits of teaching “practical law” in Irish law schools.<sup>8</sup> Given that law is an undergraduate subject and that graduates who wish to qualify as barristers and solicitors must complete a part-academic, part-professional training course administered by the professions before they are admitted to practice, some in the academy view any vocational instruction as beyond our collective remit.<sup>9</sup> That clinical legal education programmes have proliferated and thrived in other jurisdictions with similar frameworks for qualifying as lawyers has not diminished typically unspoken, yet undeniable, doubts about clinics in Ireland.<sup>10</sup> Moreover, the widespread diminution of law school autonomy, the absolute prioritisation of the doctoral degree

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<sup>7</sup> Lawrence Donnelly, “Developing Irish Clinical Legal Education” in (Thomas Mohr and Jennifer Schweppe eds) *30 Years of Legal Scholarship: The Irish Association of Law Teachers* (Thomson Round Hall, Dublin 2011) 359 et seq.

<sup>8</sup> Lawrence Donnelly, “Clinical Legal Education in Ireland: Some Transatlantic Musings” 4 *Phoenix Law Review* 7, 12 (2010).

<sup>9</sup> *Ibid* at 11-12.

<sup>10</sup> *Ibid* at 15.

above experience of law practice in recruiting legal academics and the scarcity of resources all militate against clinical legal education in Ireland.<sup>11</sup>

Nonetheless, the move toward more practical legal education in Irish law schools and the growth in clinical programmes, in particular, are unmistakable.<sup>12</sup> Most Irish law schools now have well-established clinical programmes – the vast majority are externship/placement-based clinics – and all stress the number of opportunities to develop practical skills on offer.<sup>13</sup> The fledgling and still informal Irish Clinical Legal Education Association (ICLEA) was formed in 2013 and has organised major conferences and a series of less hidebound roundtable meetings, seminars and workshops.<sup>14</sup> ICLEA seeks to pool resources, draw upon international expertise and provide a vital forum for the small cohort of academics directing clinical programmes.<sup>15</sup> It also intends to promote the expansion and enhancement of clinical programmes in Ireland and the interests of stakeholders of clinics in Ireland.<sup>16</sup>

The primary issues that *Irish* clinical legal education and those leading this broad enterprise must fully confront in order to emulate other jurisdictions around the world and realise its full potential often surface at ICLEA events. These include constraints on resources and other complications which render moving from the now prevalent externship/placement clinics to the “live client” model; balancing inherently time-

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<sup>11</sup> Ibid at 9-15.

<sup>12</sup> Ibid at 15-19.

<sup>13</sup> Lawrence Donnelly, Report, *Clinical Legal Education in Ireland: Progress and Potential* (Free Legal Advice Centres Ltd/Public Interest Law Alliance, 2015) 8-33.

<sup>14</sup> Ibid at 48.

<sup>15</sup> Ibid at 48.

<sup>16</sup> Ibid at 48.

consuming and labour intensive clinical work with the pressure to undertake research, present papers and publish articles; the reality that Irish clinical programmes are typically “sole trader” operations with few administrative or other supports; as well as the very nature and core objectives of clinical programmes.<sup>17</sup> Should clinical legal education in Ireland be purposed primarily to develop students’ practical skills, or to advance the public interest and equip students with a heightened social consciousness, or both?<sup>18</sup>

Considering these complex and hugely important matters, which are not amenable to ready consensus or swift resolution, necessarily entails some examination of those broader quandaries about the future legal education that are being pondered by colleagues almost everywhere law is taught. What are the ideal components of the optimal legal education experience for students in 2016? In an overarching sense, what should be its defining characteristics? And what role can clinical programmes play in this admittedly worrying time, when a lot of existential questions are being asked, in best preparing law students for their careers in an environment that has been changed utterly by technology and globalisation?<sup>19</sup> The scholarship provides some keen insights on these points.

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<sup>17</sup> Ibid at 45-52.

<sup>18</sup> Ibid at 46.

<sup>19</sup> See generally Emily Benfer and Colleen Shanahan, “Educating the Invincibles: Strategies for Teaching the Millennial Generation in Law School” 20 *Clinical Law Review* 1 (2013); Anita Bernstein, “On Nourishing the Curriculum with a Transnational Law Lagniappe” 56 *Journal of Legal Education* 578 (2006).

### III. *The “Disorienting Moment”*

In a seminal article published in 1995, Fran Quigley persuasively argued that the “disorienting moment” should be central in legal education.<sup>20</sup> This is a term borrowed from adult learning theorist Jack Mezirow to explain the time when a learner’s “prior conceptions of social reality and justice are unable to explain the clients’ situations” in a clinical legal education programme.<sup>21</sup> Stated another way:

“Adult learning theory maintains that when a learner begins describing an experience with the phrase, ‘I just couldn’t believe it when I saw...,’ an opportunity for significant learning has been opened. The phenomenon is called the ‘disorienting moment,’ when the learner confronts an experience that is disorienting or even disturbing because the experience cannot be easily explained by reference to the learner’s prior understanding – referred to in learning theory as ‘meaning schemes’ – of how the world works.”<sup>22</sup>

Much of students’ usual experience of legal education, however, runs against their being thrust into such disorienting moments. Students, particularly in Irish law schools, often learn passively.<sup>23</sup> They learn “through reading and digesting a large

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<sup>20</sup> Fran Quigley, “Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics” 2 *Clinical Law Review* 37 (1995).

<sup>21</sup> *Ibid* at 46. See Jack Mezirow, “How Critical Reflection Triggers Transformative Learning” in Jack Mezirow, et al (Eds), *Fostering Critical Thinking in Adulthood: A Guide to Transformative and Emancipatory Learning* 1 (Jossey Bass Publishers 1990). See also Sarah O’Rourke Schrup, “The Clinical Divide: Overcoming Barriers to Collaboration between Clinics and Legal Writing Programs” 14 *Clinical Law Review* 301, 310 (2007).

<sup>22</sup> Fran Quigley, “Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics” 2 *Clinical Law Review* 37, 51 (1995).

<sup>23</sup> See generally Yvonne Daly and Noelle Higgins, “The Place and Efficacy of Simulations in Legal Education: A Preliminary Examination” 3 *All Ireland Journal of Teaching and Learning in Higher Education* 58.1 (2011).

body of judicial decisions, articles and books and then disgorging it.”<sup>24</sup> In lecture theatres or classrooms, a student may become “a mere recipient of the professor’s teaching” who “yields to the professor an ability to express personal thoughts and to criticize the message taught.”<sup>25</sup> This can have the unfortunate – and some would say tragic – consequence that “students learn how to think like lawyers by adopting an emotionally remote, morally neutral approach to human problems and social issues, distancing themselves from the sentiments and suffering of others, avoiding emotional engagement with clients and their causes, and withholding moral judgment.”<sup>26</sup>

But clinical offerings in law school curricula take place in a vastly different arena and in a context that is poles apart. For instance, one criminal law professor recounts how her experiment in bringing first year law students to court for the day has turned into an invaluable asset for her as a teacher.<sup>27</sup> She notes that students’ emotions “range from excited to scared, bored to curious” and is invariably struck by the gulf between what they expect to happen and what actually happens in a courtroom.<sup>28</sup> Although they watch proceedings that involve some various serious crimes, they are also

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<sup>24</sup> Jane Aiken, “The Clinical Mission of Justice Readiness” 32 *Boston College Journal of Law & Social Justice* 231, 235 (2012).

<sup>25</sup> *Ibid* at 235.

<sup>26</sup> *Ibid* at 236.

<sup>27</sup> Emily Hughes, “Taking First-Year Students to Court: Disorienting Moments as Catalysts for Change” 28 *Washington University Journal of Law & Policy* 11 (2008).

<sup>28</sup> *Ibid* at 21.

exposed to “the steadiness of the seemingly mundane” which “is an important revelation for some students.”<sup>29</sup>

These have included seeing a black teenager sentenced to spend two days in jail because he was apprehended when attempting to avoid paying a public transit fare, parents who were charged with felonies for falling behind in child support payments and a young mother facing a second-degree robbery charge for brushing against a security guard when trying to shoplift a VCR.<sup>30</sup> While the elements of both serious and relatively non-serious crimes that the students have learned from their reading and in classes are central in the disposition of these matters, witnessing the human element that plays an equally central role in the administration of justice adds another entire dimension to the learning experience. And clinical or practically-oriented instruction – whether or not it is the “live client” model – is the ideal vehicle for supplementing theory with reality.

Of course, upper level, well-resourced clinics have a unique capacity to engender disorienting moments that give law students serious pause for thought and reflection. For example, one final year law student in a clinic, authorised to represent indigent clients under the applicable state rules, acted for a client in a domestic violence hearing and won a protective order for her client following a withering cross-examination.<sup>31</sup> As the student celebrated the outcome, her clinical supervisor questioned if she was

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<sup>29</sup> Ibid at 22.

<sup>30</sup> Ibid at 21.

<sup>31</sup> Jane Aiken, “The Clinical Mission of Justice Readiness” 32 Boston College Journal of Law & Social Justice 231, 240 (2012).



at all troubled by what had happened and how it happened.<sup>32</sup> When she responded in the negative, the supervisor reminded her that the individual she had successfully “destroyed” on the witness stand had no legal representation, nor did anything in the applicable statutes require that he be provided with a lawyer.<sup>33</sup> And as a result of the hearing, he lost all rights of access to his children for the time being and would be arrested if he attempted to make contact with them.<sup>34</sup> Yet “[W]ithout personal reflection and ethical challenges in law school, law students do not have the opportunity to face the moral dilemmas critical to moral development.”<sup>35</sup> Here, again, clinic has provided such an opportunity in a way that traditional pedagogy simply cannot.

#### IV. *Externship Clinics and Disorienting Moments for Galway Law Students*

While disorienting moments occur frequently, and for obvious reasons, in “live client” clinics, they also transpire in externship or placement clinics. As one externship director notes:

“[A]n externship program centered on the development of professional identity and values is a pedagogical device that law schools can employ to meet this goal. An externship is a type of clinical experience in which a student works for academic credit in a legal setting outside the law school under the supervision of an attorney and also attends a related seminar class at the law

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<sup>32</sup> Ibid at 240.

<sup>33</sup> Ibid at 240.

<sup>34</sup> Ibid at 240.

<sup>35</sup> Subha Dhanaraj, “Making Lawyers Good People: Possibility or Pipedream” 28 Fordham Urban Law Journal 2037, 2067 (2001) citing Joseph Reimer, et al, *Promoting Moral Growth* (1979) 40-42.

school. This combination of work experiences in an actual practice setting and guided reflection on those experiences in the seminar provides students with an ideal opportunity to explore the moral, ethical, and professional dilemmas that lawyers regularly encounter.”<sup>36</sup>

The fact that students are a significant step removed from an academic supervisor only heightens the extent to which they can grow as putative legal practitioners, and as people.<sup>37</sup> They must exercise “their own professional judgment” in all the varied aspects of law practice.<sup>38</sup> This distance from their academic supervisor also facilitates wider ranging and more open and honest student reflection both in journals and seminars – a vital element in the structure of any externship clinic.<sup>39</sup>

Moreover, externships are ideally situated to ensure that students attain a broader perspective on the law and the legal system – “to examine legal doctrine in the context of societal problems, apply jurisprudential and other philosophical considerations to the practice of law, and compare and critique legal systems.”<sup>40</sup> They can discuss the application of law and the merits or shortcomings of the legal system with various stakeholders.<sup>41</sup> And their time spent on placement can bring abstract theory to life in a way that absorbing material in a library or classroom setting cannot.<sup>42</sup> In sum, “while a criminal law professor may teach the concept of *mens rea*, and a clinical

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<sup>36</sup> Kelly Terry, “Externships: A Signature Pedagogy for the Apprenticeship of Professional Identity and Purpose” 59 *Journal of Legal Education* 240, 243 (2009).

<sup>37</sup> *Ibid* at 255.

<sup>38</sup> *Ibid* at 255.

<sup>39</sup> Lisa Lerman, “Professional and Ethical Issues in Legal Externships: Fostering Commitment to Public Service” 67 *Fordham Law Review* 2295, 2296-2297 (1999).

<sup>40</sup> Robert Seibel and Linda Morton, “Field Placement Programs: Practices, Problems and Possibilities” 2 *Clinical Law Review* 413, 420 (1996).

<sup>41</sup> *Ibid* at 420.

<sup>42</sup> *Ibid* at 420.

professor may teach the subtleties of opening argument, the externship professor may have the students address the fairness of our criminal justice system from their experiential perspective.”<sup>43</sup>

The following excerpts from reflective essays written by Galway law students in recent years are proof positive of observations made both in the recent scholarship on externships and in Quigley’s decades old article on the capacity of clinics to create disorienting moments. The thoughts – and indeed the all around thoughtfulness – expressed here are from students who were engaged in placements within the broad public interest and social justice sphere.

“What really struck me about working in [the firm] was the moral challenge of the work I was doing. While it seems quite clichéd, working in criminal defence involves the constant balancing of justice and due process. While representing a person who has been convicted of multiple murders, for example, is quite morally challenging and often looked down on by the general public, it is a job that needs to be done all the same I our legal system is to ensure that every person who enters the system is given a fair trial and afforded all the rights that they are entitled to. The moral dilemma alluded to and played up in many television series and movies is real.”<sup>44</sup>

The student’s points about the law and morality are fascinating. While there is a strong systemic justification for all accused persons to have a vigorous legal defence, in the “real world” it nonetheless presents an array of moral challenges that the student identifies here.

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<sup>43</sup> Ibid at 420. See also Harriet Katz, “The Past and Future of Externship Scholarship” 23 Clinical Law Review 397, 400-401 (2016).

<sup>44</sup> Student Reflective Essay (on file with author).

“The emotions I felt whilst observing this [murder] case were greater than the emotions I felt while reading case files at the office or for exam purposes. This goes to show how important placements are when studying law at university. It is never enough to read about it and achieve firsts in every exam. That is not sufficient to prepare any law student for life as a lawyer. The reality is that there are so many aspects of a case or in the trial process that are not mentioned in text books or stated by lecturers.”<sup>45</sup>

In short, the study of law and its practice are fundamentally different. The human element encountered in litigating cases of all types is often crucial to their resolution and cannot be sufficiently accounted for when reading case law at a distance.

“The event [conference] also demonstrated the passion and enthusiasm of the volunteers and people who are involved in NGOs have. It has highlighted the problems of inequality in our country and made me appreciate how influential the work of NGOs in our society is. The experience was a high point of my work that proved to be extremely rewarding. Being able to hear the struggles of people who are experiencing injustices as a result of deficiencies in our legal system is something that cannot be offered in a classroom setting. The event clarified that one of the main purposes of law is to help the marginalised people in society.”<sup>46</sup>

As well as highlighting the invaluable work NGOs do, usually on a shoestring budget, the student’s time spent helping to organise a conference demonstrated to her the importance and utility of gathering together regularly to share experiences, grow networks and gain insights. The law does not operate in a vacuum; those who work

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<sup>45</sup> Student Reflective Essay (on file with author).

<sup>46</sup> Student Reflective Essay (on file with author).

with it can lose out if they don't engage with stakeholders with ample knowledge and wide-ranging outlooks.

“Within both of these places [the children's and family courts] what is noteworthy is that pragmatism and common sense often override strict application of law as it is written down. For instance, often the types of persons you deal with in such settings are quite vulnerable individuals. In this light, and particularly in the context of children who find themselves before the courts having committed breaches of law, they are afforded sufficient leniency with regard to potential punitive sanctions. The vulnerability of these persons is often considered as a significant factor in determining the outcome of their particular case, as often, due to their own circumstances it would be unjust itself to severely punish them. In contrast, a classroom debate over how to deal with a young person, particularly one who has relapsed into crime on a few occasions and caused inconvenience to someone else will often produce a 'logical' result in the light of the crime and relevant legislation...Judges, however, often tend to look to the bigger picture, measuring the weight of the inconvenience concerned to the injured party and the circumstances which led the accused to act in a manner inconsistent with the law.”<sup>47</sup>

Again, that the administration of justice is ultimately a very human – warts and all – enterprise is now manifest to this student. Moreover, he recognises that the tabloid headlines about “out of control judges” and “criminals going scot free” are misplaced in most instances. Compassion and discretion are the lifeblood of the system and, in reality, most men and women would prefer judges who strive to be truly just in executing their vital duties.

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<sup>47</sup> Student Reflective Essay (on file with author).

“Those [lawyers] who volunteer their time and skills are particularly inspirational. It is important that financial gain is not the only motivation. A willingness to help others shows that a person is truly passionate about what they do. Legal information, and especially assistance in understanding the information, is something which everyone should have access to. It is extremely difficult for someone who does not have a legal background to understand legislation or directives and to interpret their rights. Many visitors [to a clinic] also had problems with language. In a negative respect, it was disheartening to hear stories from a number of individuals who felt they were taken advantage of by solicitors. A number of complaints were made by vulnerable immigrants who appear to have been overcharged. When considering the prospect of entering into a profession, one is filled with prospects and ideals; it is appalling to consider that sometimes these ideals are not implemented in practice.”<sup>48</sup>

The first lesson from this placement is that there remains a gulf between vulnerable people and lawyers. The second is more complex. Certainly, some lawyers are unscrupulous and that, sadly, will forever be true. But there can be two very different accounts of the same lawyer-client relationship. And sometimes, the truth is in the middle.

This is a very small sampling of literally hundreds of reflections shared by students in seminars and in essays over the decade that the clinical placement programme has been running in Galway. It is indicative of the reality that the vast majority of the deepest, most soul searching, intellectually and otherwise self aware and, frankly, profound comments offered by students have come from those who worked in an

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<sup>48</sup> Student Reflective Essay (on file with author).

environment where the limits of the law and legal system and the struggles of so many men, women and children are laid bare every day.

This is not to say that the experiences, and related contemplation, of students who have worked in commercial or other fields are not valuable. They are. It is to say – or more accurately, to argue – that clinics are best when, in addition to aiding in the development of crucial practical skills, they “are intensely aware of the mission of lawyers in serving justice, and in representing the weak against the strong” and when, as a consequence, almost every moment can be a disorienting one.<sup>49</sup>

#### *V. Conclusion: Final Thoughts and Further Questions*

The benefits that have accrued to law students in Galway who have participated in an externship-based clinic are manifest. In addition to fulfilling the pedagogical goals of the programme – “learning by doing,” intertwining theory with practice and heightening a collective consciousness of inequality and injustice chief among them – graduates who have taken the clinical module repeatedly indicate that their initial offers of employment stem in large part from having had practical experience of the law and legal system under the rubric of a structured, supervised, highly regarded programme of clinical legal education.

Correspondence and other informal contact with these employers suggest strongly that it is their cognisance of the fact that clinic students will have encountered far more

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<sup>49</sup> Richard Wilson, “Western Europe: Last Holdout in the Global Acceptance of Clinical Legal Education” 10 *German Law Journal* 823, 823 (2009).

disorienting moments than those who sat beside them in classrooms that captures their attention when sifting through a pile of CVs. That's even if the law firm partner or NGO director doesn't label these critical learning opportunities as such and has never heard of Fran Quigley's article. Graduates who have previously "been around the block" once or twice and have had to think about what they were confronted by afterward are more attractive candidates for obvious reasons. The practice of law, which involves a significant amount of drudgery and, at times, precious little engagement with either big or small legal issues, is quite unlike its study in many ways.<sup>50</sup> At every stage and in almost every context, it is still a reflection of our shared humanity. Clinics, and more specifically, the disorienting moments they produce, showcase reality, not fantasy. As such, they are arguably core, not complimentary, to the study of a discipline that is both academic and vocational in nature – and that holds true regardless of whether a graduate goes on to qualify professionally as a lawyer or not.

While disorienting moments are crucial to getting a "good" legal education in 2017, there are challenges to legal education and legal educators of a new sort. Indeed, the very nature of law practice is changing rapidly and is already very different to what it was just a quarter of a century ago.<sup>51</sup> In a time where legal careers spanning multiple jurisdictions and even different hemispheres will be the norm, not the exception, and

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<sup>50</sup> See generally Timothy Floyd and Kendall Kerew, "Marking the Path from Law Student to Lawyer: Using Field Placement Courses To Facilitate the Deliberate Exploration of Professional Identity and Purpose" 68 *Mercer Law Review* 767 (2017).

<sup>51</sup> Stephen Sieberson, Alex Fayad, Carola Cintrón-Arroyo, "Changing Times in the Legal Profession – A Survey of Practicing Lawyers" 50 *Creighton Law Review* 443,443-445 (2017).



where technology can minimise human interaction, reduce the need for as many lawyers, accelerate the rate at which the “wheels of justice” spin and engender new and perhaps unrealistic expectations from clients – or consumers as they might regard themselves in future – are disorienting moments of the sort outlined above as necessary?

The answer is yes. Although some disorienting moments may be different to what was envisaged when Fran Quigley wrote in 1995, they should forever remain at the heart of legal education. For instance, they can take place when a student is forced to grapple with technological innovations that lie beyond anything she has been exposed to before and are, to some extent, at variance with much of what she has learned in law school about substantive and procedural law. Moreover, they can occur where a legal dispute involves multiple jurisdictions and wholly different legal and broader cultural contexts in which some of the student’s most fundamental assumptions about life and humanity may be turned upside down. Crucially, and contrary to what is argued trenchantly by some observers, the twin forces of technology and globalisation don’t necessarily exacerbate the problems of the less well off; they have unique capacities to ameliorate them, too. It is now imperative that law students are introduced to and comprehend this brave new world.

In the end, the disorienting moment – where a student asks (or shrieks) “why?” and can’t even attempt to answer without having to then question everything he has always presumed to be true – will always be indispensable to providing a worthy legal education. Those of us in the broad church that is the global clinical legal education

movement should be ever mindful that we are driving the ideal vehicles to create such pivotal instants in ever-expanding ways and push ourselves and our students accordingly. As Quigley concludes, “[T]hese future policy-makers clearly deserve such enlightened instruction. A just society clearly demands it.”<sup>52</sup>

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<sup>52</sup> Fran Quigley, “Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics” 2 *Clinical Law Review* 37, 72 (1995).